

MANDATE

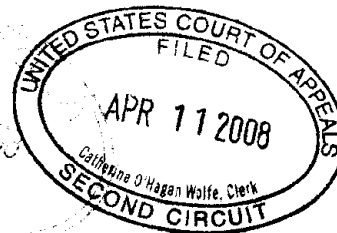
S.D.N.Y.-N.Y.C.
07-cv-4704
Wood, C.J.

United States Court of Appeals
FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 11th day of April, two thousand eight,

Present:

Hon. José A. Cabranes,
Hon. Sonia Sotomayor,
Hon. Richard C. Wesley,
Circuit Judges.



Elvin Lebron,

Petitioner-Appellant,

v.

07-5628-pr

Dale Artus,

Respondent-Appellee.

Appellant, *pro se*, moves for *in forma pauperis* status. This Court construes the motion as also requesting a certificate of appealability. Upon due consideration, it is hereby ORDERED that the motion is DENIED and the appeal is DISMISSED because Appellant has not made a "substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c); *Miller-El v. Cockrell*, 537 U.S. 322 (2003).

FOR THE COURT:
Catherine O'Hagan Wolfe, Clerk

By: 

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Catherine O'Hagan Wolfe, Clerk

by 

Issued as Mandate:

6/19/08-KM